

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

January 28, 1954
10:00 A. M.

Council Chamber, City Hall

The meeting was called to order with Mayor McAden presiding.

Roll Call:

Present: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Absent: None

Present also: W. E. Seaholm, City Manager; W. T. Williams, Jr., City Attorney; C. G. Levander, Director Of Public Works.

Invocation was delivered by RABBI HAROLD KRANZZLER

The reading of the Minutes was dispensed with.

MR. JOE CARRINGTON asked the Council to proclaim BROTHERHOOD WEEK, February 21-28, and announced plans for a big program at the Coliseum whereby people of all faiths, races and groups would be invited, the program to be worked out by the Director of Recreation. MR. CONNIE H. SAULSON spoke regarding the program and asked that the Council endorse this Brotherhood Week and program. Councilman Long moved that the Council set up BROTHERHOOD WEEK from February 21st to the 28th, and a suitable celebration in that behalf, the date to be supplied later. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

REV. HAROLD T. BRANCH, President of the Travis County Voters League, read a statement asking that the Council within ten days appoint an advisory committee by recommendation of the Travis County Voters League, to be attached to the Planning Department of Austin for the purpose of formulating a program for eradicating blighted and slum areas from the face of the city. MRS. LOMBARD stated the Committee would be qualified to deal with slum eradication and the prevention of additional slums. Councilman Pearson complimented the group on its thought in this direction, and he wanted to study the ordinances that would apply

as in all parts of town there were some terrible conditions that should be cleaned up. He suggested meeting with the Plan Commission on other matters and discussing this with them also. Councilman White thought their suggestion had lots of merit. Councilman Thompson noted that the existence of slum areas retarded the development of people that lived in those areas, and commended the League on its suggestion, but he did not feel that the Council could come up with any committed with in 10 days. Councilman Long moved that the City Council appoint an advisory committee of seven as recommended by the Travis County Voters League to be attached to the Planning Commission of Austin for the purpose of formulating a program for eradicating blighted and slum areas from the face of Austin, and do so within the very near future. The Mayor suggested delaying action on this matter at this time. After more discussion Councilman Long withdrew her motion and the matter was deferred. Councilman Long suggested since there was a vacancy on the Plan Commission, a Minority member could be appointed on this commission. Councilman Thompson asked if she were suggesting appointing a Negro on the Planning Commission, and Councilman Long stated they were representative citizens of Austin and should be represented in all places.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain public utility easement was created and dedicated to the public in Treadwell Addition, Section 2, in the City of Austin, Travis County, Texas, by a map or plat of said addition of record in Book 6, page 37, of the Plat Records of Travis County, Texas; and,

WHEREAS, the easement rights so dedicated, and hereinafter described, are not now needed and hereafter will not be required; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That W. E. Seaholm, City Manager, be and he is hereby authorized to execute a release of the easement rights described as follows:

Between Lots 60 and 61, Treadwell Addition,
Section 2, in the City of Austin, Travis County,
Texas.

The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That W. E. Seaholm, City Manager, be and he is hereby authorized and directed to execute a release of the paving liens on Lots 16 and 17, in S. L. Wilson Subdivision, upon the payment in full of the paving assessments against such properties by Forest S. Pearson, the apparent owner.

The motion, seconded by Councilman Pearson, carried by the following vote:
 Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
 Noes: None

The City Manager submitted the following recommendation on the sale of houses on the Interregional Highway right-of-way property, stating there were three that he recommended to be readvertised, as two were not high enough, and the other was not in order:

"January 27, 1954

"Attached hereto is a tabulation of the bids (on file in the City Clerk's Office under HOUSES - Sale of) received on the listed houses and the high bid on each house is underscored, except 1011 Harper Lane. Considering the prices bid, it is my recommendation that the City accept the high bid on the following locations only:

"Band Stand in East Avenue at Willow -	\$ 119.00
1100 Riverside Drive -	3,110.00
1108 Riverside Drive -	2,110.00
1002 Harper Lane -	1,028.00
1110 Riverside Drive -	655.00

"As to the houses located at 1006 Harper Lane (Bid of \$920.00) and 1010 Harper Lane (Bid of \$947.00):

"A study of the appraised value of these houses, as to the amount bid, when compared to the other houses in this sale indicated that these bids are too low.

"Considering the bids on the other houses, it is believed that these two houses should bring more money. Since another sale will be held of other houses in the Right-of-Way, within the next month, it is recommended that all bids for these two houses (1006 and 1010 Harper Lane) be rejected.

"As to the house located at 1011 Harper Lane, I wish to point out that Harry B. Ng submitted an offer of \$2,816.60 and that the high bid was submitted by Vance Fox of \$1,813.55.

"Mr. Fox submitted his bid in accordance with bid instructions. Mr. Ng submitted his offer by letter which was not in accordance with bid instructions. Since there is a difference of \$1,003.05 in these offers, it is apparent that the house is worth more money than the high bid.

"If Mr. Fox's bid is accepted, and it would appear from the basis of Mr. Ng's offer, that the City stands to ~~lose~~ lose \$1,003.05. Accordingly, it is recommended that the City reject all bids received on this house, and offer it for sale again by sealed bid in the next sale.

"Following are the appraised values of the above improvements with the high bid received for each:

<u>Location</u>	<u>Appraisal</u>	<u>High Bid</u>
Band Stand	No Appraisal	\$ 119.00
1100 Riverside Drive	\$6,800.00	\$3,110.00

1108 Riverside Drive	\$4,300.00	\$2,110.00
1110 Riverside Drive	\$2,650.00	\$ 655.00
1011 Harper Lane	\$6,500.00	(see explanation, page 1)
1002 Harper Lane	\$3,700.00	\$1,028.00
1006 Harper Lane	\$5,100.00	\$ 920.00
1010 Harper Lane	\$5,000.00	\$ 947.00"

VANCE FOX asked that the Council accept his bid, as he was next high bidder to the man whose bid was out of order. The top bid was \$2816.60 and his bid was \$1813. After more discussion Councilman Pearson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City of Austin received and opened bids on January 26, 1954 at 2 p.m. on the sale of certain buildings on property purchased for the Inter-regional Highway Right-of-Way; and

WHEREAS, Van Smith submitted the highest and best bid in the amount of \$119.00 on the wooden band stand located in East Avenue at Willow; and

WHEREAS, C. N. Archer submitted the highest and best bid in the amount of \$3,110.00 on the building located at 1100 Riverside Drive; and

WHEREAS, C. N. Archer submitted the highest and best bid in the amount of \$2,110.00 on the building located at 1108 Riverside Drive; and

WHEREAS, Knox Wright submitted the highest and best bid in the amount of \$655.00 on the building located at 1110 Riverside Drive; and

WHEREAS, Charles E. Carlow submitted the highest and best bid in the amount of \$1,028.00 on the building located at 1002 Harper Lane; and

WHEREAS, the Director of Public Works and the City Manager have recommended the sale of such buildings to said bidders; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That said bids be and the same are hereby accepted and W. E. Seaholm, City Manager, is hereby authorized and directed to execute contracts of sale for said buildings at the above described locations with said bidders.

The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

Noes: None

Pursuant to published notice thereof the following zoning applications were publicly heard:

MURRAY OWENS

1411 Bob Harrison St.

From "A" Residence
To "C" Commercial
Recommended by the
Planning Commission

The Mayor asked that those who favored upholding the recommendation of the Plan Commission to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Mayor announced the requested change had been granted and the ordinance would be drawn to cover.

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BLAKE HUNTER	2107 East 14th St.	From "A" Residence To "B" Residence RECOMMENDED by the Planning Commission
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Mr. Blake Hunter appeared on behalf of his application. No opposition appeared. The Mayor asked that those who favored upholding the recommendation of the Plan Commission to vote "aye"; those opposed to vote "no". Roll call showed the following:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Mayor announced that the requested change had been granted and the ordinance would be drawn to cover. - - - - -

BERT CABINESS, Et Al	400-406 East 10th Street	From "B" Residence and 2nd Height & Area To "C" Commercial and 3rd Height & Area RECOMMENDED by the Planning Commission
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The Mayor asked that those who favored upholding the recommendation of the Plan Commission to vote "aye"; those opposed to vote "no". Roll Call showed the following:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Mayor announced that the requested change had been granted and the ordinance would be drawn to cover.

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BERT P. BROWN	Sw cor. Lawnmont and Burnet Road	From "A" Residence To "C" Commercial RECOMMENDED by the Planning Commission with 6th Height & Area
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Mr. Carl Hardin, Jr. appeared representing Mr. Bert P. Brown, on behalf of this application. No opposition appeared. The Mayor asked that those who favored upholding the recommendation of the Plan Commission to vote "aye"; those opposed to vote "no". Roll call showed the following

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Mayor announced that the requested change had been granted and the ordinance would be drawn to cover.

JAY BROWN

3117 Lamar Blvd.

From "C" Commercial
To "C-1" Commercial
NOT Recommended by the
Planning Commission

Mr. A. W. Penn representing a group of neighbors, appeared opposing this change. The Mayor asked that those who favored upholding the recommendation of the Plan Commission and denying this change to vote "aye"; those opposed to vote "no". Roll call showed the following:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Mayor announced that the requested change had been denied.

AREA 13

St. John's Area

Councilman Pearson recommended the properties along the New Manor Highway be zoned "C" Commercial 300' on each side. In this connection MR. M. H. CROCKETT, who had previously dedicated Sheridan Avenue through his property was asked to furnish the Council a letter stating his plans on improving the Street. He had previously stated he would participate two thirds of the paving. WILLIE BARTEE, asked that his grocery store at 7007 Bennet be made Commercial. MR. ELMER DENSON asked that the property along the east side of the Interregional Highway in this area be zoned "C" Commercial at least 240' back. No action was taken at this time and the matter was postponed until the following week.

AREA 14

University Airport

Councilman Thompson suggested if the east side of the Highway were zoned commercial, the west side should be considered also. MR. WONSLEY wanted his property, which fronted on the Highway, commercial as far back as he could get it. It was suggested 240', and that he could make further application later. This matter was delayed until the following week.

L. L. McCANDLESS

1215 South Congress

From "C-1" Commercial
To "C-2" Commercial
RECOMMENDED by the Plan
Commission

No one appeared in opposition. The Mayor asked those that favored upholding the recommendation of the Plan Commission and granting the change to vote "aye"; those opposed to vote "no". Roll call showed the following:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Mayor announced that the requested change had been granted, and the City Attorney was requested to draw the necessary ordinance to cover.

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C. B. MAUFRAIS

So. Lamar South of
Bluff Street

From "C" Commercial
To "C-1" Commercial
RECOMMENDED by the Plan
Commission to include
6th Height and Area

No opposition appeared. MR. JOHN MCKAY represented the applicant. The Mayor asked those that favored upholding the recommendation of the Plan Commission and granting the change to vote "aye"; those opposed to vote "no". Roll call showed the following:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Mayor announced that the requested change had been granted, and the City Attorney was instructed to draw up the necessary ordinance.

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W. E. PHILLIPS

1211 Chicon

From "A" Residence
To "C-1" Commercial
RECOMMENDED by the Plan
Commission to include
6th Height and Area

MR. LESLIE L. JOHNSON, 1806 E. 13th appeared in opposition. Mrs. Johnson represented others who did not want any type of beer or liquor in this neighborhood. The Council postponed action on this application until the following week.

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LLOYD SHEFFIELD

1170 San Bernard

From "A" Residence
To "C" Commercial
RECOMMENDED to include
6th Height and Area

MR. HUGH E. SMITH, 1160 San Bernard objected to a change of zone to Commercial, and filed a list of names objecting. MR. SHEFFIELD appeared in his own behalf, stating the neighborhood was growing commercial, as there was a piano repair shop, church, china shop, hospital, and commercial uses. The Planning Director stated the Commission members did not make a field inspection on this. The Council postponed action on this until the following week so it could make a personal inspection of the property.

BRYANT M. COLLINS

N. of Anderson Lane w.
of Lamar Blvd.

From "A" Residence
To "C" Commercial
RECOMMENDED Tract one
only at this time.

MR. TRUMAN E. O'QUINN represented Mr. Collins. He stated they had reduced their application for change of zone on Anderson Lane from 1,000 to 500'. MR. HERMAN JONES represented the opposition to this change of Commercial westward from Lamar so far west; and stated since he would have his commercial zone on Lamar it would not be necessary to run this down Anderson Lane. He did not think these residents should have to be burdened with this Drive-in theatres drives. MR. G. M. HATFIELD complained of the trash thrown out of the cars. MR. O'QUINN stated the tenant had been notified of the complaints of trash being strewn around, and it was in their lease that they should keep the premises clean and cooperate with the Health Department. He displayed a map showing the plans of Mr. Collins, and also the plans of the Highway Department for constructing a new highway through the property. MR. JONES objected strongly to any change to commercial on Anderson Lane. The Council deferred action on this for another week.

Councilman Thompson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, by that certain instrument of record in Volume 655, page 360, Deed Records of Travis County, Texas, and that certain instrument of record in Volume 655, page 362, Deed Records of Travis County, Texas, certain electric line easements were granted the City of Austin on the hereinafter described land; and

WHEREAS, such easements cover the entire tract and create a burden on the title of same; and

WHEREAS, the present owners of said tract have executed a descriptive centerline easement covering the present electric facilities located on said tract; and

WHEREAS, such easements as hereinafter described are not now needed and hereafter will not be required by the City of Austin; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That W. E. Seaholm, City Manager, be and he is hereby authorized and directed to execute a release of such easements described as follows:

(1) An electric line easement on a tract of land belonging to Eugene McGuire out of the Santiago-Del Valle Grant and further described in Vol. 515 page 529, of the Deed Records of Travis County, Texas, which easement is of record in Vol. 655, page 362, Deed Records of Travis County, Texas.

(2) An electric line easement being described as an electric pole line extension to serve Eugene McGuire near Nichol's Crossing Road; BEGINNING at a point in the west line of the Gene McGuire tract; THENCE, S. 36° 15' E. 764 feet east to end of line, which easement is of record in Vol. 655, at page 360, Deed Records of Travis County, Texas.

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The City Manager submitted the following:

"January 26, 1954

"Following is a tabulation of the bids received 10:00 A.M., Tuesday, January 26, 1954 for the construction of a Concrete Culvert on Rosewood Avenue at Boggy Creek.

"Garon Beverly	\$13,712.08
Austin Engineering Co.	15,282.28

Walter Schmidt	\$15,400.60
W. S. Conner	15,420.90
A. W. Bryant	15,576.58
Harry Newton, Inc.	15,880.50
Jones & Hazeltine	17,041.98
Maufrais Bros.	17,063.10
W. D. Anderson Co.	26,279.50

City's Estimate \$16,523.00

"I recommend that Garon Beverly with his low bid of \$13,712.08 be awarded the contract for this work."

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on January 26, 1954, the City of Austin received bids for the construction of a concrete culvert on Rosewood Avenue at Boggy Creek; and,

WHEREAS, the bid of Garon Beverly in the sum of \$13,712.08 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Public Works of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Garon Beverly in the sum of \$13,712.08 be and the same is hereby accepted, and W. E. Seaholm, City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with Garon Beverly for the construction of such culvert.

The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Southern Union Gas Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That Southern Union Gas Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

- (1) A gas main in HAMMACK DRIVE, from Guadalupe Street westerly 491 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said HAMMACK DRIVE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(2) A gas main in HETHER STREET, from a point 121 feet east of Bluebonnet Lane, westerly 68 feet, the centerline of which gas main shall be 6.5 feet north of and parallel to the south property line of said HETHER STREET.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(3) A gas main in WEST FRESCO DRIVE, across Bull Creek Road intersection, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said WEST FRESCO DRIVE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(4) A gas main in FISET DRIVE, from Strass Drive, westerly 662 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said FISET DRIVE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(5) A gas main in BULL CREEK ROAD, across West 49 $\frac{1}{2}$ Street, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said BULL CREEK ROAD.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(6) A gas main in PEACOCK LANE (Oak Crest Avenue), from a point 200 feet east of Oak Crest Avenue, easterly 131 feet, the centerline of which gas main shall be 12 feet south of and parallel to the north property line of said PEACOCK LANE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(7) A gas main in TWIN OAKS DRIVE, from a point 30 feet east of Nasco Drive, easterly 530 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said TWIN OAKS DRIVE.

Said Gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(8) A gas main in DAUGHERTY STREET, from Twin Oaks Drive to Park View Drive, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said DAUGHERTY STREET.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(9) A gas main in NASCO DRIVE, from Park View Drive, southerly 153 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said NASCO DRIVE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(10) A gas main in PARK VIEW DRIVE, from Daugherty Street, westerly 1470 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said PARK VIEW DRIVE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(11) A gas main in ST. JOSEPH BOULEVARD, from Hardy Drive, easterly 403 feet, the centerline of which gas main shall be 8.5 feet south of and parallel to the north property line of said ST. JOSEPH BOULEVARD.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(12) A gas main in ST. JOSEPH BOULEVARD, from Hardy Drive to Morrow Street, the centerline of which gas main shall be 8.5 feet north of and parallel to the south property line of said ST. JOSEPH BOULEVARD.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(13) A gas main across MORROW STREET at a point 260 feet west of Yates Avenue.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(14) A gas main in MORROW STREET, from Yates Avenue, westerly 310 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said MORROW STREET.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(15) A gas main in MORROW STREET, from a point 260 feet west of Yates Avenue, westerly to St. Joseph Boulevard, the centerline of which gas main shall be 6.5 feet north of and parallel to the south property line of said MORROW STREET.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

THE Southern Union Gas Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Southern Union Gas Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the Department of Public Works not less than three (3) days before such information is required. The Southern Union Gas Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets, and the restoration and maintenance of said streets after said mains have been laid shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchises granted to said company by the City of Austin.

The motion, seconded by Councilman Pearson, carried by the following vote
Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves the erection of a covered boat dock and boat landing dock on the property owned by E. D. Grimmer as described in the Travis County Deed Records, and hereby authorized the said E. D. Grimmer to construct, maintain and operate this covered boat dock and boat landing dock subject to same being constructed in compliance with all the ordinances relating thereto and further subject to the foregoing attached recommendations; and the Building Inspector is hereby authorized to issue an occupancy permit for the erection of this covered boat dock and boat landing dock after full compliance with all the provisions of this resolution. Said permission shall be held to be granted and accepted subject to all necessary reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, fire and health regulations and the right of revocation is retained if, after hearing, it is found by the City Council that the said E. D. Grimmer has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"January 28, 1954

"Mr. Walter E. Seaholm
City Manager
Austin, Texas

"Dear Sir:

"I, the undersigned, have reviewed the plans and have considered the application of E. D. Grimmer, owner of a piece of property located upstream from the westerly extension of the south line of Windsor Road near Quinlan Park and listed in the Travis County Deed Records, for permission to construct a covered boat dock projecting out into the lake approximately 35 feet and a boat landing dock projecting out into the lake 14 feet beyond the normal high water level. The Construction details meeting all requirements, I therefore recommend that if E.D. Grimmer is granted his request by the City Council, that it be subject to the following conditions:

"(1). That nothing but creosoted piles, cedar piles or concrete piles, substantially braced to withstand wind and water pressure, be used in the construction and that no structure shall be nearer than ten feet to any side property line of the owner or applicant.

"(2). That no business, such as a restaurant, dance hall, concession stand, or any other enterprise for the sale of goods, wares and merchandise, except marine supplies and tackle, and no living quarters of any character, shall be erected on any pier, dock, wharf, float, island, piling or other structure extending into or above Lake Austin.

"(3). That every structure shall be equipped with proper lights which show all around the horizon for night use and shall be equipped with flags or other warnings for daylight use.

"(4). That all structures extending out into the Lake be constantly kept in a state of good repair and that the premises be kept reasonably clean at all times.

"Respectfully submitted,
(Sgd) J. C. Eckert
Building Inspector"

The motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves as a filling station site the property located at the southwest corner of the intersection of Arroyo Seca and Woodrow Avenue which property fronts 125.25 feet on Arroyo Seca and 130.42 feet on Woodrow Avenue, and being known as a portion of Block C of Crestview Addition, Section 2 in the City of Austin, Travis County, Texas, and hereby authorizes the said Magnolia Petroleum Company to construct, maintain and operate a drive-in gasoline filling station and to construct curbs, ramps and sidewalks in conjunction therewith, subject to the same being constructed in compliance with all ordinances relating thereto, and further subject to the foregoing attached recommendations and plans; and the Building Inspector is

hereby authorized to issue an occupancy permit for the operation of this filling station after full compliance with all the provisions of this resolution and said permission shall be held to be granted and accepted to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper Police, Traffic and Fire regulations; and the right of revocation is retained, if, after hearing, it is found by the City Council that the said Magnolia Petroleum Company has failed and refused and will continue to fail and refuse to perform any such conditions, regulations, and ordinances.

(Recommendations attached)

"January 28, 1954

"Mr. Walter Seaholm
City Manager
Austin, Texas

"Dear Sir:

"We, the undersigned, have considered the application of the Magnolia Petroleum Company, lessee, for permission to construct, maintain and operate a drive-in gasoline filling station and to construct commercial driveways in conjunction therewith upon the property located at the southwest corner of the intersection of Arroyo Seca and Woodrow Avenue, which property fronts 125.25 feet on Arroyo Seca and 130.42 feet on Woodrow Avenue and being known as a portion of Block C of Crestview Addition, Section 2 in the City of Austin, Travis County, Texas, and the property upon which this filling station is to be located is owned by the Austin Development Company and is under lease to the Magnolia Petroleum Company and we hereby advise that the following conditions exist

"The property upon which this filling station is to be located is designated as "C" Commercial Use District upon the zoning maps of the City of Austin.

"All drainage, natural or other wise, from this filling station is to be disposed of in such a manner that such drainage will not flow across the sidewalk area into the street and furthermore, shall not create a nuisance to others in the neighborhood and it is understood that the disposal of such drainage shall be entirely the responsibility of the property owner.

"We recommend that the Magnolia Petroleum Company be granted permission to construct, maintain and operate said drive-in gasoline filling station and to construct curbs, ramps and sidewalks in conjunction therewith, subject to the following conditions.

"(1) That all buildings and equipment shall be placed inside of the property line, correct lines to be obtained before construction starts or equipment is installed. Lines and grades to be obtained from the Department of Public Works for entrances and driveways, building lines to be approved by the City Building Inspector. That the applicant shall confer with the Department of Public Works as to future grades of the sidewalks and gutters on the adjacent streets before he starts any construction relative to the filling station.

"(2) That only underground tanks shall be used and that all pumps shall be so located that it will be impracticable to service motor vehicles therefrom

while said motor vehicles are standing on any part of a sidewalk, street or alley.

"(3) That the gasoline tanks, pumps, and all equipment used in connection with the storage and handling of gasoline shall be an approved type and shall bear the label of Underwriters Laboratories, Inc. and that all construction of the filling station improvements shall be in accord with the Building Ordinance, the Zoning Ordinance, the Filling Station Ordinance, and in accordance with the ordinance prohibiting the disposal of commercial water or oils upon the City Streets.

"(4) That the grades of the station shall be such that no waste water or oils or any floor washings shall ever pass over the City sidewalk area and that all of said oils and water shall be concentrated into a combined grease and sand trap which shall be constructed in accordance with our standard plan 2 - H - 146.

"(5) That all filling station improvements, pump islands, driveways, ramps, gutters, sidewalks and curbs shall be constructed of concrete at the expense of the applicant as set forth upon the plan hereto attached, which plan bears the Department of Public Works file number 2 - H - 1253.

"(6) Expansion joints shall be constructed as shown upon the plan hereto attached marked 2 - H - 1253 and shall be of the pre-moulded type.

"(7) When the owner considers that he has complied with all the requirements of the City of Austin for filling stations, he shall apply for a final inspection and upon approval, the Building Inspector shall issue a Certification of Operation before such filling station can be put into service.

"Respectfully submitted
(Sgd) C. G. Levander
Director of Public Works
(Sgd) J. C. Eckert
Building Inspector"

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The City Manager submitted the following certificate from the City Tax Assessor and Collector:

"TO THE MAYOR AND CITY COUNCIL:

"I certify that the tax assessment for the property hereinafter described in the name of J. C. McIntyre is incorrect for the following reason:

"As a result of the re-appraisal program conducted in 1953, an error in the area of the residence was made by the inclusion of a 12' by 24' addition to the residence not built until February, 1953.

"I recommend that I be authorized to reduce the assessed valuation on these improvements and that I be authorized to make the proper refund for over

payment of taxes for the year 1953 as follows:

<u>YEAR</u>	<u>DESCRIPTION OF PROPERTY</u>	<u>ORIGINAL ASSESSED VALUE</u>	<u>RECOMMENDED VALUE</u>
1953	Center 58' of Lot 1 and Center 58' of N 25.4' of Lot 2, Blk 7, Broadacres, Plat 197, Item 76-2, Parcel #2-2903-1002, known as 1609 Houston Avenue (Improvements Only)	\$1750	\$740

"Sgd) T. B. Marshall
City Tax Assessor and Collector"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Tax Assessor and Collector has made a special investigation of the tax assessment hereinafter set forth in the name of J. C. McIntyre, and has found the same to be erroneous for the reason stated in his certificate delivered to the City Council and filed with the City Clerk, and,

WHEREAS, in such certificate the City Tax Assessor and Collector has recommended the adjustment, Now Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the following tax assessment for the year shown be, and the same is hereby adjusted and corrected to fix the assessed value therein as indicated.

<u>YEAR</u>	<u>DESCRIPTION OF PROPERTY</u>	<u>ORIGINAL ASSESSED VALUE</u>	<u>RECOMMENDED VALUE</u>
1953	Center 58' of Lot 1 and Center 58' of N 25.4' of Lot 2, Blk 7, Broadacres, Plat 197, Item 76-2, Parcel #2-2903-1002, Known as 1609 Houston Avenue (Improvements Only)	\$1750	\$740

And the City Tax Assessor and Collector is authorized and directed to make such change in the tax rolls, and that he be further authorized to make the proper refund of over-payment of taxes for the year 1953.

The motion, seconded by Councilman Long, carried by the following vote:
Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The City Manager submitted the following certificate from the City Tax Assessor and Collector:

"TO THE MAYOR AND CITY COUNCIL"

"I certify that the tax assessment for the property hereinafter described in the name of Community Drug Store is incorrect for the following reason:

"As of January 1, 1953, the merchandise was removed from the Community Drug Store at 1201 East 1st Street and its assessable value was included in the rendition of the Norman Cunningham Variety Store #1. Likewise, the equipment, furniture and fixtures were disposed of during 1952, according to information furnished to the Tax Department.

<u>YEAR</u>	<u>DESCRIPTION OF PROPERTY</u>	<u>ORIGINAL ASSESSED VALUE</u>	<u>RECOMMENDED VALUE</u>
1953	Merchandise, furniture, fixtures, and equipment	\$2730	-0-

"(Sgd) T. B. Marshall
City Tax Assessor and Collector"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Tax Assessor and Collector has made a special investigation of the tax assessment hereinafter set forth in the name of Community Drug Store, and has found the same to be erroneous for the reason stated in his certificate delivered to the City Council and filed with the City Clerk, and,

WHEREAS, in such certificate the City Tax Assessor and Collector has recommended the adjustment, Now Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the following tax assessment for the year shown be, and the same is, hereby adjusted and corrected to fix the assessed value therein as indicated.

<u>YEAR</u>	<u>DESCRIPTION OF PROPERTY</u>	<u>ORIGINAL ASSESSED VALUE</u>	<u>RECOMMENDED VALUE</u>
1953	Merchandise, furniture, fixtures, and equipment	\$2730	-0-

And the City Tax Assessor and Collector is authorized and directed to make such change in the tax rolls.

The motion, seconded by Councilman Long, carried by the following vote:
Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The City Manager submitted the following certificate from the City Tax Assessor and Collector:

"TO THE MAYOR AND CITY COUNCIL:

"I Certify that the tax assessment for the property hereinafter described in the name of Ben Walker is incorrect for the following reason:

"According to our records, a double assessment exists by reason of the rendition of R. L. Penn, lessee, on used car office building, already charged in Personal Property Inventory, for the year 1953.

"I recommend that I be authorized to reduce the assessed valuation on these improvements as follows:

<u>YEAR</u>	<u>DESCRIPTION OF PROPERTY</u>	<u>ORIGINAL ASSESSED VALUE</u>	<u>RECOMMENDED VALUE</u>
1953	Lot 6, Blk 47, Original City, Plat 12, Item 56, known as 601 West 5th (Improvements Only)	\$140	-0-

"(Sgd) T. B. Marshall
City Tax Assessor and Collector"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Tax Assessor and Collector has made a special investigation of the tax assessment hereinafter set forth in the name of Ben Walker, and has found the same to be erroneous for the reason stated in his certificate delivered to the City Council and filed with the City Clerk, and,

WHEREAS, in such certificate the City Tax Assessor and Collector has recommended the adjustment, Now Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the following tax assessment for the year shown be, and the same is, hereby adjusted and corrected to fix the assessed value therein as indicated.

<u>YEAR</u>	<u>DESCRIPTION OF PROPERTY</u>	<u>ORIGINAL ASSESSED VALUE</u>	<u>RECOMMENDED VALUE</u>
1953	Lot 6, Blk 47, Original City Plat 12, Item 56, known as 601 West 5th, (Improvements Only)	\$140	-0-

And the City Tax Assessor and Collector is authorized and directed to make such change in the tax rolls.

The motion, seconded by Councilman Long, carried by the following vote:
Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

No action was taken on the Resolution authorizing the City Manager to deed Lots Nos. 1-11, Block 4, White & Wolf's Addition to W. H. Stephenson, and the matter will be considered again the following week.

Councilman Pearson asked the Council to consider meeting at 9:00 A.M. instead of 10:00, and be ready to vote on it the following week.

Discussion was held on the bids received for white Lime and the awarding of the contract to the Austin White Lime Company for a year. The City Manager explained the procedure and his recommendation.

Councilman Long asked about sewer connections to the little building set up at Brentwood School. The Director of Public Works stated this was the school's problem, and the City was making the connection and the school was paying for it.

Councilman Long inquired about the school near the Public Safety Department on Denson Drive. It did not seem to have any access street. The Director of public works reported that he had a meeting with Colonel Garrison scheduled the next day to discuss the opening of a street through the Public Safety Department property that will go down Koenig Lane; that the city was going to put a little foot bridge over the creek in the area.

Councilman Long reported overflowing of Boggy Creek at 1800 Singleton Street, and a complaint from CORINE STEVENSON that the water is encroaching on her property up to her porch. The Director of Public Works stated this was quite a large creek, and it would take a 60" pipe to correct the situation and the work planned for next year probably would not help this situation here.

Councilman Long reported a call she had from a resident on Willow Street who requested that the City cease from grading that street as the dust was terrible--that they would rather have the bumps than the dust.

There being no further business the Council adjourned at 1:55 P. M., subject to the call of the Mayor.

APPROVED


Mayor

ATTEST


City Clerk

NOTICE OF SPECIAL MEETING

THE STATE OF TEXAS)
CITY OF AUSTIN)
COUNTY OF TRAVIS)

TO THE MEMBERS OF THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS:

NOTICE IS HEREBY GIVEN that a special meeting of the City Council will be held at the City Hall in the City of Austin, Texas, at 10:00 o'clock A.M., on the 1st day of February, 1954, for the purpose of passage of Resolution canvassing returns and declaring result of bond election, and related matters.

DATED, this the 1st day of February, 1954.

(S) C. A. McADEN
Mayor, City of Austin, Texas

(S) Elsie Woosley
City Clerk, City of Austin, Texas

ATTEST:

(S) Elsie Woosley

CONSENT TO MEETING

WE, THE UNDERSIGNED, members of the City Council of the City of Austin, Texas, hereby accept service of the foregoing notice, waiving any and all irregularities in such service and such notice, and consent and agree that said City Council shall meet at the time and place herein named, and for the purpose herein stated.

(S) TED R. THOMPSON

(S) WESLEY PEARSON

(S) BEN WHITE

(S) MRS. STUART LONG

(S) C. A. McADEN